



CITY OF DANBURY

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MAYOR

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VIA HAND DELIVERY AND U.S. MAIL

June 7, 2013

Police Officer Christopher Belair
[REDACTED]

Re: Decision on Mayoral Hearing

Dear Officer Belair:

On Thursday, June 6, 2013, I held a Mayoral hearing at which time we reviewed the following items relative to your conduct during the incident of March 8, 2013 which was the subject of the Police Department's investigation in IA #130425.

- The audio tape of you speaking to the operator of a motor vehicle which had been stopped by another officer.
- Video from the ICOP camera in your assigned vehicle on that date.
- Colored screen shots from the video.
- The report of the investigation by Detective Lieutenant Lopes, and applicable attachments, including your statement made in the course of the investigation.
- A statement offered by the Union from a tow truck operator.
- The cover of the infraction ticket book, which directs officers on how to act when issuing an infraction.

You and your Union representative, Attorney Eric Brown, were given the opportunity to comment on all of these materials, and to respond to the charges set forth in the notice of the Mayoral hearing, dated May 28, 2013. You declined to speak on the ground that you did not

want anything said by you during the hearing to be used in a criminal investigation. However, Union Attorney Eric Brown made extensive responses and arguments on your behalf

I have taken all of the above into consideration in making my decision.

It is with great distress that I make the following findings in this matter:

1. Your words and manner of speaking to the operator of the vehicle were highly offensive and not in any way warranted. The operator was, by all accounts, including the audio tape, being cooperative and respectful. Yet you yelled, used profanity, told him to leave the country and threatened to beat him. He stated to you, in the face of this tirade, that he was sorry, without even raising his voice. You mocked him when he appeared to be crying. As Chief Baker stated, the Danbury Police Department does not tolerate treating any citizen in this manner.
2. Despite your denials, the totality of the evidence leads me to suspect that you were, without justification, also physically aggressive to the operator. While the videos and pictures are not entirely clear due to weather conditions, other facts indicate that a more precise analysis of the video will show inappropriate physical contact with the operator. Therefore, these will be forwarded to the State's Attorney's office for further analysis and review.
3. You failed to exercise the duty of care that is due to any person, including one who is the subject of a traffic stop. Your failure occurred twice as to the operator in this case. First, despite your concluding that he was unstable when you saw him on Railroad Place, you accepted his statement that he was waiting for a friend and did not need a ride. Given the conditions, you should not have put him at risk, nor taken the risk that he would drive. Second, you and other officers at the scene of the traffic stop left the operator to walk to his home a mile away, in a snow storm in the middle of the night, placing him at risk of injury.
4. You were untruthful or at best failed to give complete information in your IA interviews and statement. You failed to include in your sworn statement the fact that you had unwarranted physical contact with the operator. You also did not include information regarding your turning off the ICOP video and microphone. In addition, in your follow-up interview, you stated that you had tested your ICOP system prior to your shift on the night in question. A check of the ICOP data base shows that you did not do so.
5. You manually turned off the ICOP camera and you failed to activate the external microphone, contrary to clear policy of the Police Department.

Based on these findings, you violated the following the following provisions of the Rules and

Regulations of the Danbury Police Department and the Code of Conduct:

Law Enforcement Code of Ethics, particularly paragraphs 1 and 4, requiring that officers protect the public and respect their rights, and enforce the law courteously and appropriately.

Section 1, General Principles of Police Conduct, particularly paragraph 2 which calls for the Police Department to retain the confidence and respect of the public it serves.

Section 8, Police Officers, subsection 1, which directs police officers to protect life and property and to accomplish the mission of the Department intelligently and efficiently, and states that: "Every police officer shall be called to strict accountability for the good order of the beat or post to which he may be assigned."

Section 14, subsection 4 which prohibits false reports. Sections 2.12 and 2.12A of the Code of Conduct also addresses this. At the very least, you gave a false statement when you told the investigator you had tested the ICOP system at the start of the shift, but in fact had not done so.

Section 14, subsection 16, which states that: "Courtesy and civility toward the public are demanded of all members of the Department, and any conduct to the contrary will not be tolerated."

Code of Conduct, introductory paragraphs 3 and 4, which makes acts of moral turpitude, as defined therein, a violation of the Rules of Conduct. Clearly, your language and manner of speaking to the operator of the stopped vehicle on the night of March 8 was one of "baseness, vileness . . . contrary to the accepted and customary rule of right and duty between man and man" as well as "conduct contrary to justice."

Code of Conduct, Section 2.12A, for intentionally abusing the operator and denying him humane treatment.

Code of Conduct, Section 2.14, for using violent, abusive and profane language.

Code of Conduct, Section 5.03, for failing to take appropriate police action and failure to report.

Code of Conduct, Section 5.07, for your failure to comply with Police Department directives, particularly:

General Order #2500, Section III and Section V, Subsection A, prohibiting use of force only "in response to resistance and requiring officers to adhere to the standard of "objective reasonableness."

General Order #3230, Section II, for manually turning off your MDVR and failing to use the microphone during a traffic stop, thus precluding complete documentation of the incident and preservation of evidence concerning the March 8 traffic stop.

General Order #3230, Section IV, Subsection H, which calls for use of MDVR equipment to record all portions of traffic stops.

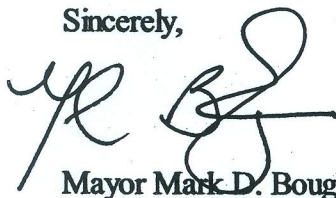
General Order #3230, Section V, prohibiting tampering with the MDVR video, which you did by turning off your camera.

General Order #5500, Section III, subsections B-5, which required you to cooperate in the IA investigation and to give complete and accurate statements to the investigator.

Based on your actions, which clearly show that you are either unwilling or unable to carry out the duties of a police officer in accordance with the high standards expected of the Danbury Police Department, I have no choice but to terminate your employment effective immediately. As Mayor of the City, I expect that all police officers will act professionally and treat all persons with dignity and respect.

I wish to emphasize that while the above list of violations is long, the single event of your outrageous statements to the operator, delivered with obvious personal animosity and intimidation, in my view constitutes just cause for your discharge from the City of Danbury Police Department.

Sincerely,



Mayor Mark D. Boughton

Enclosures

cc: Alan D. Baker, Chief of Police
Terrence Shanahan, Deputy Chief of Police
Captain Robert Myles, Captain of Professional Standards
Matt McNally, President, Danbury Police Union (with enclosures)
Eric Brown, Counsel for the Union (enclosures previously provided)
Virginia Alosco-Werner, Director of Human Resources
Dianne Rosemark, Assistant Corporation Counsel
Saranne P. Murray, Labor Counsel